



Attorney Docket No.: 38464-0004

**DECLARATION AND POWER OF ATTORNEY** #3

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Regulator Gene and System Useful for the Diagnosis and Therapy of Osteoporosis**

the specification of which:

— is attached hereto.

X was filed on August 17, 2001 as U.S. Serial No. 09/931,375

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before we invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me us, or by our legal representatives or assigns, more than twelve months prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

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U.S. Provisional Application Number	Filing Date
60/304,851	July 13, 2001
60/226,119	August 18, 2000
60/234,337	September 22, 2000

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents of the law firm of **Heller Ehrman White & McAuliffe** to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith:

PAUL BOOTH	Reg. No. 40,244
PATRICIA D. GRANADOS	Reg. No. 33,683
JOHN P. ISACSON	Reg. No. 33,715
RONALD J. KAMIS	Reg. No. 41,104
MARVIN A. MOTSENBOCKER	Reg. No. 36,614
COLIN G. SANDERCOCK	Reg. No. 31,298
SUSAN E. SHAW MCBEE	Reg. No. 39,294

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and I request that all correspondence be directed to:

**HELLER EHRMAN WHITE & MCAULIFFE**  
1666 K Street, NW, Suite 300  
Washington, DC 20006  
Telephone: (202) 912-2000  
Facsimile: (202) 912-2020

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Name of first inventor	<u>Matthew L. WARMAN</u>
Residence	<u>Shaker Heights, Ohio 44122</u>
Citizenship	<u>U.S.A.</u>
Post Office Address	<u>22026 Calverton Road, Shaker Heights, Ohio 44122</u>
Inventor's signature	<u><i>Matthew L. Warman</i></u>
Date	<u>1/17/02</u>
Name of second inventor	<u>Yaoqin GONG</u>
Residence	<u></u>
Citizenship	<u>U.S.A.</u>
Post Office Address	<u>c/o Shandong Medical University</u> <u>Jinan, Shandong, 250012, Peoples Republic of China</u>
Inventor's signature	<u></u>
Date	<u></u>

Name of third inventor

**Bjorn R. OLSEN**

Residence

Milton, Massachusetts

Citizenship

U.S.A.

Post Office Address

1053 Brush Hill Road, Milton, MA

Inventor's signature

Date

Name of fourth inventor

**Georges RAWADI**

Residence

Paris, France

Citizenship

French

Post Office Address

4 Rue de Louvois, 75002 Paris, France

Inventor's signature

Date

Name of fifth inventor

**Sergio ROMAN-ROMAN**

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Citizenship U.S.A.  
Post Office Address 22026 Calverton Road, Shaker Heights, Ohio 44122  
Inventor's signature \_\_\_\_\_  
Date \_\_\_\_\_

Name of second inventor Yaoqin GONG  
Residence Jinan, Shandong, P.R.China  
Citizenship Peoples Republic of China  
Post Office Address c/o Shandong Medical University  
Jinan, Shandong, 250012, Peoples Republic of China  
Inventor's signature *Yaoqin Gong*  
Date 1/11/02

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Citizenship

U.S.A.

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Name of fourth inventor

Georges RAWADI

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Residence	
Citizenship	U.S.A.
Post Office Address	c/o Shandong Medical University Jinan, Shandong, 250012, Peoples Republic of China
Inventor's signature	
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Name of third inventor

**Bjorn R. OLSEN**

Residence

Milton, Massachusetts

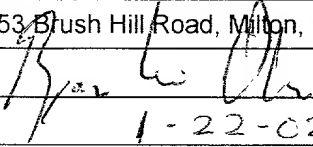
Citizenship

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Date

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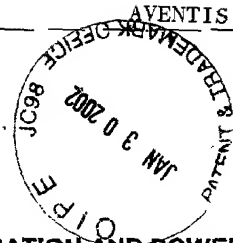
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